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 Date: November 29, 2004 Signature: Cheryl Marsh

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keith Wood et al.

Appln. No.: 09/813,279

Filed: March 19, 2004

For: Method for Detection of ATP

Attorney Docket No: 10743-6

Examiner: Louise N. Leary

Art Unit: 1654

Office of Petitions
 U.S. Patent and Trademark Office

INFORMATION DISCLOSURE STATEMENT

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicants hereby cites the following reference(s):

No.	Date of Publication	Country
WO99/33997	07/1999	WIPO
EP 1 041 151 A1	10/2000	EPO

Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). The relevance is that this WIPO publication corresponds to a cited European Patent publication (EP1 041 151).

Applicants respectfully request the Examiner's consideration of the above references and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is

not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

For purposes of 37 C.F.R. §1.704(d), Applicants certify that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference)

Applicants have calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,



Nicholas M. Bowlin
(Reg. No. 45,650)

November 29, 2004

Date

FORM PTO-1449	SERIAL NO. 09/813,279	CASE NO. 10743-6
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE March 19, 2004	GROUP ART UNIT 1654
(use several sheets if necessary)	APPLICANTS: Keith Wood et al.	

REFERENCE DESIGNATION **U.S. PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number/Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
A1	WO99/33897	07/1999	WIPO		
A2	EP 1 041 151 A1	10/2000	EPO		

EXAMINER
INITIAL

OTHER ART - NON PATENT LITERATURE DOCUMENTS

(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)

EXAMINER _____ DATE CONSIDERED _____

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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12 NOV 2004

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Datum/Date

12.11.04

Zeichen/Ref/Ref.	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°
NAM/P63845/000	02724954.9-2402-US0204534
Abmelder/Applicant/Demandeur/Posteninhaber/Propriétaire/Tauiteur PROMEGA CORPORATION	

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the European search report for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.



REFUND OF THE SEARCH FEE

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.



European Patent
Office

**SUPPLEMENTARY
EUROPEAN SEARCH REPORT**

Application Number

EP 02 72 4954

DOCUMENTS CONSIDERED TO BE RELEVANT							
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (IM.CI)				
X	EP 1 041 151 A (KIKKOMAN CORP) 4 October 2000 (2000-10-04) * the whole document *	1-26	C1201/66 C12Q1/00 G01N33/53 C12Q1/04 C12Q1/48				
A	US 5 004 684 A (SIMPSON WILLIAM J. ET AL) 2 April 1991 (1991-04-02) * claims 1,2,4 *	1-26					
D,P, X	WO 01/20002 A (PROMEGA CORP) 22 March 2001 (2001-03-22) * page 58, lines 27-30 * * page 88, line 3 - page 90, line 24 * * claims 1,7,9,24 *	1-26					
<table border="1"> <tr> <td colspan="2">TECHNICAL FIELDS SEARCHED (IM.CI)</td> </tr> <tr> <td colspan="2">C12Q</td> </tr> </table>				TECHNICAL FIELDS SEARCHED (IM.CI)		C12Q	
TECHNICAL FIELDS SEARCHED (IM.CI)							
C12Q							
<p>The supplementary search report has been based on the last set of claims valid and available at the start of the search.</p>							
1	Place of search	Date of completion of the search	Examiner				
	Munich	3 November 2004	Pellegrini, P				
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons A : technical background B : non-patent disclosure P : intermediate document & : member of the same patent family, corresponding document					

ANNEX TO THE EUROPEAN SEARCH REPORT
ON EUROPEAN PATENT APPLICATION NO. **1234567890**

EP 02 72 4954

This annex lists the parent family members relating to the parent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on www.europeanpatentoffice.org. The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

03-11-2004

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
EP 1041151	A	04-10-2000	AU EP WO JP	1688399 A 1041151 A1 9933997 A1 11239493 A	19-07-1999 04-10-2000 08-07-1999 07-09-1999
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For more details about this annex: see Official Journal of the European Patent Office, No. 12/82